

COURTS COMMISSION LEGISLATIVE UPDATE

9.25.20



1. OVERVIEW
2. LEGISLATIVE UPDATE
3. QUESTIONS



1. OVERVIEW



OVERVIEW

- Short Session- Adjourned Sept. 4
- Scheduled to return January 2021, subject to emergency sessions
- Legislative priorities during short session included
 - eCourts
 - Expansion budget requests
 - Second Chance Act
 - Addressing Judicial Branch's emergent pandemic-related needs



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ECOURTS

- Revisions to the North Carolina Rules of Civil Procedure to Allow e-Filing and e-Service
 - H 679 (S.L. 2020-46)
 - Amends Rule 3 and Rule 5 to provide for the electronic filing of documents, pleadings, and other papers in accordance with the General Rules of Practice
 - Amends Rule 5 allow for electronic service via the Odyssey case management system as well as by email
- Funding
 - No funding in FY 19-20
 - Vetoed budget contained partial funding but not included in mini-omnibus
 - eCourts funding requested in FY 20-21 expansion budget
 - Ongoing priority for Judicial Branch



EXPANSION BUDGET

- Priorities
 - Transformation of court technology (e.g. eCourts)
 - Support of court programs
 - Local staff resources as identified by workload formulas
 - Funding for compensation needs for all Judicial Branch employees



SECOND CHANCE ACT

- S 562 (S.L. 2020-35)
 - Updates expunction statutes to increase the pool of individuals eligible to clear their criminal record
 - Allows DA's to petition the court for the expunction of certain records when charges are dismissed or there are findings of not guilty.
 - Provides *automatic* expunction of records in most those cases where all charges are dismissed or result in a finding of not guilty on or after December 1, 2021.
 - Raise the age-related provisions allow for the expunction of certain offenses committed prior to December 1, 2019 by someone who was 16 or 17 years of age at the time.



PANDEMIC-RELATED LEGISLATION

- COVID-19 Emergency Policy Legislation
 - S 704 (S.L. 2020-3)
 - Section IV - Continuity of State Government: includes court-related provisions
- COVID-19 Emergency Funding Legislation
 - S 836 (S.L. 2020-32) - First Round of Pandemic Emergency Funding
 - H 1023 (S.L. 2020-80) - Additions and revisions to Coronavirus Relief Funding
 - H 1105 (S.L. 2020-97) - Final COVID-related funding bill prior to adjournment



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THANK YOU

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